GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Commercial Tax Department - Ananthapuramu Division - Sri John Sreenivasulu, the then Commercial Tax Officer(Int), Office of the Deputy Commissioner (Commercial Tax), Ananthapuramu - presently Assistant Commissioner(Commercial Tax), Office of the Commissioner of Commercial Taxes, Andhra Pradesh, Hyderabad - Reconciliation on cash remittances by Officers of the Ananthapuramu-I and II circles with reference to chitta - Found discrepancies and misappropriations - Certain report submitted by Deputy Commissioner, Ananthapuramu - Article of Charges framed – Orders - Issued.

REVENUE (VIGILANCE – II) DEPARTMENT

G.O.Rt.No.499 Dated:25-04-2016.
Read the following:-

Ref:-1) DC(CT), ATP Rc.No.A1/163/2015 (PS), dated 28-09-2015.
2) DC(CT), Rc.No.A1/163/ATP-2015, dt.12-10-2015.
3) CCT's Ref.No.V1/440/2015, dt.16-11-2015 .
4) CCT's Ref.No. V1/440/2015, dt.25-02-2016

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ORDER:

It is proposed to hold an Inquiry against Sri John Sreenivasulu, the then Commercial Tax Officer(Int), Office of the Deputy Commissioner (Commercial Tax), Ananthapuramu presently Assisstant Commissioner (Commercial Tax), Office of the Commissioner of Commercial Taxes, Andhra Pradesh, Hyderabad in accordance with the procedure laid down in Rule-20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2) The substance of the imputations of misconduct / misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of imputations of misbehavior in support of the article is also enclosed as Annexure II. A list of documents by which the articles of charges are proposed to be sustained is also enclosed in Annexure-III.

3) Sri John Sreenivasulu, the then Commercial Tax Officer (Int), Office of the Deputy Commissioner (Commercial Tax), Ananthapuramu, presently Assistant Commissioner(Commercial Tax), Office of the Commissioner of Commercial Taxes, Andhra Pradesh, Hyderabad is directed to submit his explanation within fifteen (15) days from the date of receipt of this memo i.e., written statement of his defense and to state whether he desires to be heard in person.

4) Sri John Sreenivasulu, the then Commercial Tax Officer (Int), Office of the Deputy Commissioner (Commercial Taxes), Ananthapuramu, presently Asst. Commissioner(Commercial Tax), Office of the Commissioner of Commercial Taxes, Andhra Pradesh., Hyderabad is informed that an inquiry will be held only in respect of those articles of charges which are not admitted, he should therefore specifically admit or deny each article of charge.

5) Sri John Sreenivasulu, the then Commercial Tax Officer (Int), Office of the Deputy Commissioner (Commercial Tax),

Contd., 2

Ananthapuramu, presently Assistant Commissioner(Commercial Tax), 0ffice of the Commissioner of Commercial Taxes, Andhra Pradesh, Hyderabad is further informed that if he does not submit his written statement of defense on or before the time specified in para-3 above, further action will be initiated based on the material available.

6) Attention of Sri John Sreenivasulu, the then Commercial Tax Officer (Int), Office of the Deputy Commissioner (Commercial Tax), Ananthapuram is invited to Rule-24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government Servant shall bring or attempt, to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Sri John Sreenivasulu, the then Commercial Tax Officer (Int), 0ffice of the Deputy Commissioner (Commercial Tax), Ananthapuramu is aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Services. (Conduct) Rules, 1964.

7) The receipt of the Charge Memo, may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

TO

Sri John Sreenivasulu, the then Commercial Tax Officer(Int), 0ffice of the Deputy Commissioner (commercial Tax), Ananthapuram-II presently Assistant Commissioner(Commercial Taxes), 0ffice of the Commissioner of Commercial Taxes, Andhra Pradesh, Hyderabad, through the Commissioners of Commercial Taxes, Andhra Pradesh, Hyderabad

Copy to:

The Commissioner of Commercial Taxes, Andhra Pradesh, Hyderabad.
The Deputy Commissioner (Commercial Tax), Ananthapuram Division.
SC/SF

//FORWARDED :: BY ORDER//

SECTION OFFICER

Annexure —I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI JOHN SREENIVASULU, THE THEN COMMERCIAL TAX OFFICER (INTELIGENCE) 0/o D.C., ANANTHAPURAMU, PRESENTLY ASSISTANT COMMISSIONER(CT), 0/o THE COMMISSIONER OF COMMERCIAL TAXES, ANDHRA PRADESH, HYDERABAD

Article of charge-I:

That the said Sri John Sreenivasulu Commercial Tax Office(Int), 0ffice of Deputy Commissioner (Commercial Tax), Ananthapuram has committed certain irregularities while working as Commercial Tax Officer (Intelligence), Office of the Deputy Commissioner, Ananathapuramu from 01.04.2011 to 31.8.2015 have failed to discharge his official duties properly.

The Deputy Commissioner (Commercial Tax), Ananthapuram conducted enquiry on mismatching of challans entered in VATIS with reference to treasury data and reported non-remittance of Cash collections of tax made by the officers in the offices of Ananthapuram-I & II circle to an extent of Rs.79,58,204/-.

Sri John Sreenivasulu, the then Commercial Tax Officer (Int), Office of the Deputy Commissioner (Commercial Tax), Ananthapuramu circle, presently Asst. Commissioner(Commercial Tax), Office of the Commissioner of Commercial Tax, Andhra Pradesh., Hyderabad while functioning in the aforesaid office found to have collected cash and issued receipts for cash collections of tax, to an extent of Rs.2,98,675/- but failed to take proper care to remit into the Government Treasury through proper challans as per rules. Thus he is responsible for misappropriation of Government money to an extent of Rs.2,98,675/-.

Article of charge-II

Sri John Sreenivasulu, the then Commercial Tax Officer (Int), Office of the Deputy Commissioner (Commercial Tax), Ananthapuramu, presently Asst. Commissioner(Commercial Tax), Office of the Commissioner of Commercial Tax, Andhra Pradesh, Hyderabad failed to ensure that the cash collections of tax are remitted into Government Treasury through proper challans and the same are entered into the Treasury chitta. He is responsible for entering the unremitted challans into VATIS and gave credit to the dealers without actually remitting the amount in Government Treasury.

Thus Sri John Sreenivasulu, the then Commercial Tax Officer, (Int), Office of the Deputy Commissioner (Commercial Tax), Ananthapuram and present Assistant Commissioner (Commercial Tax), Office of the Commissioner (Commercial Tax), Andhra Pradesh, Hyderabad by his above mentioned Acts, exhibited lack of integrity, devotion to duty, conduct unbecoming of Government Servant in violation to the provisions under Rule 3 (1) and (2) of Andhra Pradesh Civil Services (Conduct) Rules 1964.

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

-//FORWARDED :: BY ORDER//-

SECTION OFFICER

ANNEXURE - II

STATEMENT OF IMPUTATION OF MISCONDUCT IN SUPPORT OF THE ARTICLE OF CHARGES FRAMED AGAINST SRI JOHN SREENIVASULU, THE THEN COMMERCIAL TAX OFFICER (INTELIGENCE) OFFICE OF THE DEPUTY COMMISSIONER, ANANTHAPURAMU, PRESENTLY ASSISTANT COMMISSIONER(CT), OFFICE OF THE COMMISSIONER OF COMMERCIAL TAXES, ANDHRA PRADESH, HYDERABAD

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It has came to the notice of the Commissioner (Commercial Tax) through the report dt.28.9.2015 of Deputy Commissioner(Commercial Tax), Ananthapuram that while crosschecking and reconciling the Cash collections and remittances into Government Treasury in the offices of Anantapuram I and II circles, for the period from August 2014 to March 2015, it was found that total amount of Rs.5.75 lakhs (33 challans) in Anathapuram-I and Rs.13.36 lakhs (44 challans) in Anantapuramu II were not remitted into Government Treasury.

Subsequently the Deputy Commissioner, Ananthapuramu instructed all the Commercial Tax Officers of Ananthapuram division to ascertain the amounts not remitted into treasury and also instructed Assistant Commissioner (Audit) to verify and certify by cross verifying the challans with reference to treasury receipts from April 2011 to August 2015 and to submit report by 30-9-2015.

The Deputy Commissioner, Ananthapuramu through her report dated: 12.10.2015 reported the mis-apporpriated amounts as follows:

Ananthapuramu-I Circle : Rs.44,45,208-00

S.No.	Name and Designation of Officer	Amount in (Rs.)
1	Sri D.Rajasekhar, DCTO-I	44,33,208
2	Sri B.Srinivas, DCTO-III	12,000
	Total	44,45,208

The Deputy Commissioner, Ananthapuram has informed that the Commercial Tax Officer, Dharmavaram has submitted officer wise amount not remitted into treasury as under:

Ananthapuramu-II Circle : Rs.32,14,321-00

SI. No.	Name and Designation of Officer	Amount (Rs.)
1	Smt.T.N.Archana, DCTO (Special)	20,11,850
2	Sri ASK Prasad, DCTO-II	1,19,500
3	Sri S.Subhash, DCTO,Rayadurgam	69,454
4	Sri K.Surendra Reddy, ACTO (Audit)	7,46,918
5	Smt.N.Nagalakshmamma, ACTO (Regn.)	1,55,100
6	Sri K..Venkata Ramanaiah, ACTO (Regn.)	72,400
7	Sri K.Lakshmana Swamy, ACTO (Regn.)	5,000
8	Smt.K.Jayamadhavi Latha, ACTO (Regn.)	27,299
9	Smt.K.Sujatha, ACTO (Regn.)	6,800
	Total	32,14,321

The Deputy Commissioner (Commercial Tax), Ananthapuramu has informed that the total misappropriation of Government amount is Rs.79,58,204-00 as stated below:

Contd., 2

CTO-I, Ananthapuram	-- Rs.44,45,208-00
CTO-II, Ananthapuram	– Rs.32,14,321-00
CTO (Int.) 0/0 DC(CT), ATP	–- Rs. 2,98,675-00
Total	Rs,79,58,204-00

The Deputy Commissioner, Ananthapuram also reported that Sri B.Vinayaka, Junior Assistant who gave affidavit dated:25-09-2015 taken responsibility for the misappropriated amount was suspended. Subsequently, the individual filed representation addressed to the Enquiry Officer stating that the Commercial Tax Officer-I & II have not handed over money to him and he was not asked to remit Government money in the Bank.

The Deputy Commissioner, Ananthapuram informed that out of the non-remitted amount of Rs.79,58,204/- an amount of Rs.16,74,192/- was recovered leaving balance of Rs.62,84,012/-.

As seen from the Deputy Commissioner's report it is noticed that Sri John Sreenivasulu, the then Commercial Tax Officer (Int) ,Office of the Deputy Commissioner (Commercial Tax) Ananthapuramu has committed certain irregularities while working as Commercial Tax Officer (intelligence) Office of the Deputy Commissioner (Commercial Tax), Ananthapuram and he is held responsible for misappropriation of the Government revenue to a tune of Rs.2,98,675/-.

Thus, Sri John Sreenivasulu, the then Commercial Tax Officer(intelligence) ,Office of the Deputy Commissioner (Commercial Tax) Ananthapuramu division and presently Assistant Commissioner (Commercial Tax), Office of the Commissioner of Commercial Tax, Andhra Pradesh. Hyderabad, by the above mentioned acts exhibited lack of devotion to duty and violated rule 3 of Andhra Pradesh Civil Servioces (Conduct) Rules, 1964.

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

-//FORWARDED :: BY ORDER//-

SECTION OFFICER

ANNEXURE - III

LIST OF DOCUMENTS BY WHICH ARTICLES OF CHARGES FRAMED AGAINST SRI JOHN SREENIVASULU, THE THEN COMMERCIAL TAX OFFICER (INTELIGENCE), OFFICE OF THE DEPUTY COMMISSIONER, ANANTHAPURAMU, PRESENTLY ASSISTANT COMMISSIONER (COMMERCIAL TAX), OFFICE OF THE COMMISSIONER OF COMMERCIAL TAXES, ANDHRA PRADESH, HYDERABAD

1) Deputy Commissioner (Commercial Tax), ATP Rc.No.A1/163/2015 (PS), dated: 28-09-2015.

2) Deputy Commissioner (Commercial Tax), ATP, Rc.No.A1/163/ATP-2015, dt.12-10-2015.

3) Deputy Commissioner (Commercial Tax), ATP, Rc.No.163/2015/SA1/PS/dt.08-01-2016.

4) Affidavit filed by Sri B.Vinayaka, Junior Assistant, Commercial Tax Department, Ananthapuram, dated.25-09-2015.

5) Representation of Sri B.Vinayaka, Junior Assistant, Dated:07-10-2015.

6) Representation of Sri B.Vinayaka, Junior Assistant, dated:13-11-2015 addressed to the Enquiry Officer.

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

-//FORWARDED :: BY ORDER//-

SECTION OFFICER